

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO,  
EASTERN DIVISION

|                               |                                      |
|-------------------------------|--------------------------------------|
| WALTER DERRICO,               | ) CASE NO.: 1:17-CV-866              |
|                               | )                                    |
| Plaintiff,                    | ) JUDGE: PATRICIA A.GAUGHAN          |
|                               | )                                    |
|                               | ) MAG. JUDGE: GREENBERG              |
| v.                            | )                                    |
|                               | )                                    |
| TORRIS MOORE, <i>et al.</i> , | ) <u>DEFENDANT, THE CITY OF EAST</u> |
|                               | ) <u>CLEVELAND'S MOTION FOR</u>      |
| Defendants.                   | ) <u>TO WITHDRAW PLEADING DOCKET</u> |
|                               | ) <u>NO. 68 FILED IN ERROR</u>       |

NOW Comes, Defendant, the City of East Cleveland, by and through its undersigned counsel of record who respectfully requests leave to withdraw its pleading filed in error that mistakenly captioned the wrong Judge, *Corrected Defendant, The City of East Cleveland's Objection to Magistrate's Memorandum Opinion and Order* and retain the original filing of *Defendant, The City of East Cleveland's Objection to Magistrate's Memorandum Opinion and Order.*

Respectfully submitted,

/s/ Willa M. Hemmons  
Willa M. Hemmons (0041790)  
Director of Law  
City of East Cleveland  
14340 Euclid Avenue  
East Cleveland, Ohio 44112  
[whemmons@eastcleveland.org](mailto:whemmons@eastcleveland.org)  
Counsel for City of East Cleveland

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of *Defendant, The City of East Cleveland's Motion To Withdraw Pleading Docket No. 68* was electronically filed with the Court on this 8<sup>th</sup> day of May, 2019; and that by operation of this Court's electronic notification system a copy thereof is made available to all registered parties. The undersigned further certifies that a true and accurate copy of the *Defendant, The City of East Cleveland's Motion for Summary Judgment* was on this 8<sup>th</sup> day of May, 2019 sent via first class regular U.S. mail to their last known address:

|   |   |   |
|---|---|---|
| Cross-Claim Defendant<br>Torris Moore at:<br><br>TORRIS MOORE (61296-060)<br>FMC CARSWELL<br>FEDERAL MEDICAL CENTER<br>P.O. BOX 27137<br>FORT WORTH, TX 76127 | Cross-Claim Defendant<br>Antonio Malone at:<br><br>ANTONIO MALONE<br>(61336-060)<br>FCI BENNETTSVILLE<br>FEDERAL<br>CORRECTIONAL<br>INSTITUTION<br>P.O. BOX 52020<br>BENNETTSVILLE, SC<br>29512 | Cross-Claim Defendant Eric<br>Jones at:<br><br>ERIC JONES (61337-060)<br>FMC DEVENS<br>FEDERAL MEDICAL CENTER<br>P.O. BOX 879<br>AYER, MA 01432 |
|   |   |   |

Respectfully submitted,

/s/ Willa M. Hemmons  
Willa M. Hemmons (0041790)  
Director of Law  
City of East Cleveland  
14340 Euclid Avenue  
East Cleveland, Ohio 44112



**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of *Defendant, The City of East Cleveland's Motion To Withdraw Pleading Docket No. 68* was electronically filed with the Court on this 11<sup>th</sup> day of February, 2019; and that by operation of this Court's electronic notification system a copy thereof is made available to all registered parties. The undersigned further certifies that a true and accurate copy of the *Defendant, The City of East Cleveland's Motion for Summary Judgment* was on this 11<sup>th</sup> day of February, 2019 sent via first class regular U.S. mail to:

|   |   |   |
|---|---|---|
| Cross-Claim Defendant<br>Torris Moore at:<br><br>TORRIS MOORE (61296-060)<br>FMC CARSWELL<br>FEDERAL MEDICAL CENTER<br>P.O. BOX 27137<br>FORT WORTH, TX 76127 | Cross-Claim Defendant<br>Antonio Malone at:<br><br>ANTONIO MALONE<br>(61336-060)<br>FCI BENNETTSVILLE<br>FEDERAL<br>CORRECTIONAL<br>INSTITUTION<br>P.O. BOX 52020<br>BENNETTSVILLE, SC<br>29512 | Cross-Claim Defendant Eric<br>Jones at:<br><br>ERIC JONES (61337-060)<br>FMC DEVENS<br>FEDERAL MEDICAL CENTER<br>P.O. BOX 879<br>AYER, MA 01432 |
|   |   |   |

Respectfully submitted,

*/s/ Willa M. Hemmons*  
Willa M. Hemmons (0041790)  
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East Cleveland, Ohio 44112

Attorney Defendants/Cross-Claim Plaintiffs, the City  
of East Cleveland and the East Cleveland Police  
Department